

REMARKS

I. Preliminary remarks

Claims 1-4, 6, 9, 12-14, 20, 24-33, 39, 47, 48, 50-53, 55-65, 79-88, and 136-153 are currently pending. Claims 5, 7, 8, 10, 11, 13, 15-19, 21-23, 34-38, 40-46, 49, 54, 66-78, 89-135, and 154-161 have been cancelled. Claim 33 has been amended to remove a typographical error and claims 33 and 39 have been amended to introduce the appropriate SEQ ID NOS. Support for this amendment can be found in the specification s originally filed at, for example, pages 5-6.

No new matter has been introduced in this amendment.

II. Sequence compliance

At page 2 of the Office Action, the Examiner indicated that the claims and/or specification are not in full compliance with 37 CFR 1.821(d) for failure to refer to the appropriate sequence identifiers (SEQ ID NO). In response, Applicants have amended claims 33 and 39 to introduce the appropriate SEQ ID NOS.

III. Restriction requirement and election

Beginning at page 2 of the Office Action, the Examiner required Applicants to elect of species for each of the asserted groups (a) through (c).

Applicant first point out that the pending claims are directed to antibodies (and pharmaceutical compositions and kits) that compete with RX1 for binding to M-CSF (see, e.g., claim 1). The sequences provided throughout the specification provide sequences of anti-M-CSF antibodies RX1, 5H4, MC1 and MC3, including heavy and light chain variable domains and CDRs of each of these antibodies (see, e.g., SEQ ID NOS 1-6 and 10-38). The specification also provides sequences of a number of RX1 heavy and light chain variable domains that have amino acid changes (see, e.g., SEQ ID NOS: 39-119 and 124-137).

In response to the species election requirement, Applicants hereby elect the following species for further prosecution in the instant application:

Group A: The antibody comprising heavy and light chain amino acid sequences as set in SEQ ID NO: 43 and SEQ ID NO: 53, respectively.

Group B: IgG1 and, if necessary, a fragment of an IgG1 constant region that reduces ADCC;

Group C: zoledronate

As a result, claims 1-4, 6, 9, 12-14, 20, 24-30, 33, 39, 47, 48, 50-53, 55, 59-65, 79, 80, 82, 83, 85-88, and 136-153 are currently under examination.

CONCLUSION

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

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